

MEMORANDUM

OFFICE OF LEGISLATIVE COUNSEL

Tuesday - 24 September 1963

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[redacted] Received a call from Ann Cunningham, in the office of Senator Kenneth E. Keating, who was inquiring about the Director's termination authority as contained in section 102(c) of the National Security Act. I discussed this authority with Miss Cunningham. It developed that she was primarily interested in knowing whether or not the Director's authority could be delegated. I advised her that by the Agency's interpretation of this section this authority was limited to the Director, or in his absence, to the Acting Director but was not otherwise delegable. Miss Cunningham said she was interested in this aspect of the Director's authority in connection with H.R. 950, a similar bill concerning the possible termination of NSA employees. This bill places the authority in the Secretary of Defense subject to delegation. Miss Cunningham said that Senator Keating was concerned (as were some members of the House at the time of the House vote) that the delegation of this authority might result in some abuses. I suggested she talk with

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[redacted] George Murphy, Joint Committee on Atomic Energy staff, called and requested any information we might be in a position to provide with respect to the NATO representative who was arrested by the French and who at one time worked in the Defense Ministry. Murphy has discussed this case with the AEC but would like any information we might have. This is being referred to CI Staff.

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[redacted] called to advise he has received a response from DIA to his memo raising the question of a congressional appearance [redacted] in whom the Senate Internal Security Subcommittee has expressed an interest. [redacted] said DIA's response was to the effect that it had no present objection to a appearance before the Subcommittee in executive session but it preferred that such an appearance be delayed until autumn. I expressed to [redacted] the feeling that we should advise Jay Sourwine, Staff Director for the Subcommittee, as to the present status of this case and suggested any further contact should be with the Department of the Army.

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